Case 2:04-cv-05125-FVS Document 165 Filed 11/08/2005

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
NOV 08 2005
JAMES R. LARSEN, CLERK
__________DEPUTY
RICHLAND, WASHINGTON

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON
AT RICHLAND

James S. Gordon, Jr., Plaintiff, vs. Impulse Marketing Group, Inc., Defendant Impulse Marketing Group, Inc., Third-Party Plaintiff, v. James S. Gordon III, Third-Party Defendants	Case No.: CV-04-5125-FVS **THIRD-PARTY DEFENDANT'S MEMORANDUM OF AUTHORITIES**

TO: Clerk of the Court

AND TO: Floyd E. Ivey, Attorney for Third-Party Plaintiff

AND TO: Peter J. Glantz and Sean A. Moynihan

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Having no legal training, the undersigned hasn't the wherewithal to cite case law or statute to propound a legal rationale for its position below. However, as a matter of equity, third party defendant should prevail as Impulse filed this counter suit to intimidate and annoy me. Impulse could have deposed me, without the current charade of a lawsuit and discovery – a delaying tactic to enable Impulse more time to fish for something that does not exist – a nexus to or culpability in an alleged scheme by me.

Even to a layperson, one can see that third party plaintiff was not able to elevate its allegations or claims to the level of evidence as none was provided. Innuendo even fails to persuade in the court of public opinion. It is in the interest of judicial economy, that the Court grant third party defendant's motion to dismiss with prejudice.

The undersigned respectfully requests that the Court issues an order granting third party defendant the dismissal of the claims and counterclaims of third party plaintiff.

Dated this 8th day of November, 2005.

James S. Gordon III

~~Bonnie F. Gordon~~

9804 Buckingham Drive

Pasco, WA 99301

509-210-1069

Dated this 8th day of November, 2005

I, hereby, certify that on November 8, 2005, I filed with this Court the above memorandum of authorities. The Clerk of the Court will provide electronic notification system using the CM/ECF, which will send an electronic copy of this document to Douglas E. McKinley, Jr., Peter J. Glantz, Sean A. Moynihan, and Floyd E. Ivey. I have served all non-CM/ECF participants, Bonnie Gordon, Jamila Gordon, Jonathan Gordon, Emily Abbey, and Robert Pritchett by other means.